

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

LEROY WILLIAMS,)	
)	
Plaintiff,)	
v.)	
)	
STATE OF ALABAMA DEPARTMENT OF TRANSPORTATION, JOE MCINNES, etc.,)	CASE NO. 2:06-cv-658-ID
)	
Defendants.)	
)	

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

COME NOW Defendants, the State of Alabama Department of Transportation and Joe McInnes, by and through their undersigned counsel, and move this Court to grant summary judgment in this matter and as grounds therefore, show unto this Court as follows:

1. The Plaintiff has failed to state a claim for which relief can be granted.
2. The Plaintiff has failed to set forth a *prima facie* claim for racial discrimination under either Title VII or 42 U.S.C. § 1981.
3. The Plaintiff has failed to set forth a *prima facie* claim for retaliation under either Title VII or 42 U.S.C. § 1981.
4. Defendants are entitled to favorable summary judgment as a matter of law.

Defendants file contemporaneously herewith their Memorandum Brief and Evidentiary Materials in Support of this Motion for Summary Judgment.

RESPECTFULLY SUBMITTED
TROY KING
ATTORNEY GENERAL

s/ Andrew W. Redd

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CERTIFICATE OF SERVICE

I hereby certify that, on **March 26 2007**, I electronically filed the foregoing with the Clerk of the Court using the CM/ECT system, which will send notification to the following:

Mr. Russell W. Adams, Esq.
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